

Message Text

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ORIGIN L-03

INFO OCT-01 AF-06 ARA-06 EUR-12 EA-07 ISO-00 OES-03 NSF-01

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DOD - CMDR. MELANSON(INFO)

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R 091953Z MAR 76

FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY LONDON

AMEMBASSY OSLO

AMEMBASSY BRUSSELS

AMEMBASSY TOKYO

AMEMBASSY PRETORIA

AMEMBASSY CANBERRA

AMEMBASSY WELLINGTON

AMEMBASSY BUENOS AIRES

AMEMBASSY SANTIAGO

AMCONSUL CAPE TOWN

INFO AMEMBASSY BRASILIA

AMEMBASSY WARSAW

C O N F I D E N T I A L STATE 057121

CAPE TOWN FOR EMBASSY

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E.O. 11652: GDS

TAGS: XV, PL, TGEN, TPHY

SUBJECT: ANTARCTIC TREATY: POLISH CLAIM TO CONSULTATIVE STATUS

REFS; (A) WARSAW 08225; (B) STATE 302842; (C) WARSAW 00861
(ALL NOTAL)

1. REFTELS SET FORTH DIPLOMATIC CORRESPONDENCE BETWEEN USG AND GOP REGARDING POLISH CLAIM TO CONSULTATIVE STATUS UNDER ANTARCTIC TREATY AS RESULT OF CURRENT POLISH OCEANOGRAPHIC EXPEDITION TO ANTARCTIC WATERS. AS INDICATED PARA. 2 REF (B), STANDARD FOR GAINING SUCH SPECIAL STATUS HAS NEVER BEEN DEFINED BEYOND TEXT OF TREATY. REFTELS BEING TRANSMITTED TO ALL NONRECIPIENT ADDRESSEES FOR INFO.

2. DEPARTMENT EXPECTS OTHER STATES WHO HAVE ACCEDED OR WILL ACCEDE TO ANTARCTIC TREATY TO SEEK CONSULTATIVE STATUS. BRAZIL, FOR EXAMPLE, WHICH ACCEDED IN MAY, 1975, MADE SLIGHT EFFORT AT EIGHTH ANTARCTIC TREATY CONSULTATIVE MEETING IN JUNE AND MAY BE PREPARED TO MAKE ANOTHER EFFORT AT NEXT MEETING IN 1977. FRG AND OTHERS ARE NOW LOOKING TOWARD ANTARCTIC WATERS AS POSSIBLE SOURCE OF LIVING RESOURCES, AND THEIR ACTIVITIES COULD

LEAD TO NEW ACCESSIONS AND EFFORTS TO GAIN CONSULTATIVE STATUS.

3. ACTION ADDRESSEES ARE REQUESTED TO INFORM APPROPRIATE FONMIN OFFICIALS OF CONTENTS REFTELS AND CONTENTS PARA. 2 THIS TEL. (BUENOS AIRES WITH CAVEAT CONTAINED IN PARA. 5 BELOW). PURPOSE IS TO KEEP OUR TREATY PARTNERS INFORMED ON A MATTER OF MUTUAL INTEREST AND TO STIMULATE THINKING ON A QUESTION WE WILL HAVE TO ANSWER SOON. PRELIMINARY RESPONSES SHOULD BE REPORTED TO DEPARTMENT.

4. FOR MOSCOW - EMBASSY MAY INDICATE IF APPROPRIATE
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THAT USG WOULD WELCOME FULL PARTICIPATION BY POLAND AND OTHERS IN ANTARCTIC TREATY IF LEGAL REQUIREMENTS OF TREATY ARE SATISFIED. WE WOULD BE INCLINED TO INTERPRETATION OF TREATY STANDARD THAT FACILITATES FULL PARTICIPATION BY INTERESTED STATES, BUT CANNOT GO ALONG WITH UNILATERAL DETERMINATION BY ACCEDING STATE THAT IT HAS ACHIEVED THE SPECIAL STATUS.

5. FOR BUENOS AIRES - EMBASSY SHOULD SOLICIT IN LOW-KEY FASHION GOA VIEWS ON THE EFFECT A REFUSAL BY THE 12 TO ADMIT AN ACCEDING STATE THAT DEMONSTRATES SERIOUS INTEREST IN CONSULTATIVE STATUS MIGHT HAVE ON THE FUTURE OF THE ANTARCTIC TREATY SYSTEM. FYI: ARGENTINE ATTITUDE COULD BE A MAJOR DETERMINANT OF THE ABILITY OF THE TREATY PARTNERS TO RESOLVE QUESTION OF ADDITIONAL CONSULTATIVE MEMBERS WITHOUT MAJOR DISPUTE. IN PRACTICAL TERMS, OF COURSE, UNANIMOUS RECOGNITION BY CURRENT CONSULTATIVE PARTIES OF ANY NEW CONSULTATIVE PARTY WOULD BE NEEDED FOR CONSULTATIVE MEETINGS TO FUNCTION. GOA POSITION IN THIS REGARD IS LIKELY TO BE SHAPED BY PROBABLE BRAZILIAN EFFORT TO ACHIEVE CONSULTATIVE STATUS. WE WISH TO TAKE ADVANTAGE OF QUESTION RAISED BY POLISH ACTION TO TAKE SOUNDING OF GOA THINKING WITHOUT, HOWEVER, SPECIFICALLY RAISING ISSUE OF BRAZIL. END FYI. KISSINGER

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